



Alan Varela, Director

Mayor Timothy M. Keller

March 6, 2023

Jason Boley  
MS Consultants, Inc | Engineers, Planners  
300 Corporate Center Drive, Suite 200,  
Moon Township, Pennsylvania 15108

**Re: Whataburger 2141 Gibson Blvd SE  
Erosion and Sediment Control Plan  
Engineer's Stamp Date 3/6/2023 (M15E021A)**

Mr. Boley,

Based upon the information provided in your submittal received 2/17/2023, the above referenced ESC Plan is approved to be included in the SWPPP and in the Building Permit Plans.

The EPA Notice of Intent (NOI) documentation has been reviewed and signed by the City and is attached, so this project is approved for Grading and Building Permit.

Please remember to include a copy of this letter, the approved ESC Plan, and the signed copy of the NOI in the Building Permit application.

The operator must ensure that the following personnel on the stormwater team understand the requirements of this permit and their specific responsibilities with respect to those requirements:

- a. Personnel who are responsible for the design, installation, Maintenance, and/or repair of stormwater controls (including pollution prevention controls);
- b. Personnel responsible for the application and storage of treatment chemicals (if applicable);
- c. Personnel who are responsible for conducting inspections as required in Part 4.1; and
- d. Personnel who are responsible for taking corrective actions as required in Part 5.

You must also post your notice of CGP coverage per Part 1.5 and install the BMP controls.

At a minimum a routine compliance self-inspection is required to review the project for compliance with the Construction General Permit once every 14 days and after any precipitation event of 1/4 inch or greater until the site construction has been completed and the site determined as stabilized by the city.

After all areas have been stabilized, you must contact the City for verification that the "Final Stabilization Criteria" of CGP 2.2.14.c has been satisfied. This step is independent of the Certificate of Occupancy (CO) process. Then satisfy the other "Conditions for Terminating CGP Coverage" per CGP 8.2 including removal of BMPs. Next, file your "Notice of Termination" (NOT) with the EPA. Please copy me with the documentation and the EPA's acceptance of the NOT.

If you have any questions, you can contact me at 924-3420 or [jhughes@cabq.gov](mailto:jhughes@cabq.gov).

Sincerely,

*James D. Hughes*

James D. Hughes, P.E.  
Principal Engineer, Planning Dept.  
Development and Review Services